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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/597,704

06/16/2000

Paul A. Voois

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04/30/2008

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EXAMINER

SHINGLES, KRISTIE D

ART UNIT

PAPER NUMBER

2141

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/597,704	<b>Applicant(s)</b> VOOIS ET AL.	
	<b>Examiner</b> KRISTIE D. SHINGLES	<b>Art Unit</b> 2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

**Response to Amendment**

Claims 1-22 are pending examination.

**Response to Arguments**

**I.** In view of the Appeal Brief filed on 2/5/2008, PROSECUTION IS HEREBY REOPENED.

To avoid abandonment of the application, Appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is a non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendment, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

**II.** Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

**37 CFR 1.131 - AFFIDAVIT/DECLARATION**

**III.** The Declaration under 37 CFR 1.132 filed 2/5/2008 is sufficient to overcome the rejection of claims 1-22 based upon filing date (August 24, 1999) of the *Brophy et al* reference (US 6,782,412).

### Claim Rejections - 35 USC § 102

IV. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

V. **Claim 15** is rejected under 35 U.S.C. 102(e) as being anticipated by *Edholm* (US 6,449,269).

Per claim 15, *Edholm* teaches a user-programmable communications arrangement comprising:

- a user-interface device having a display, the device being adapted to provide IP telephony communications configuration information to a user via the display and to communicate IP telephony communications configuration selections from the user to a CPU (*Abstract, col.4 line 65-col.5 line 8, col.5 lines 36-52—IP telephone with user interface display for communicating user-selections*); and
- a programmable CPU communicatively coupled to the user interface device and having an OOP interface coupled to an IP telephony communications link, the microprocesor being adapted to receive the IP telephony communications configuration selections from the user-interface device, and in response to the received selections, control selected functions of selected IP telephony devices of an IP telephony communications system via the IP telephony communications link (*col.2 lines 33-67, col.3 lines 8-48, col.4 lines 24-61, col.8 lines 39-49— user interface display on IP telephony device coupled to a phone server for communicating and configuring call information to user*).

### CLAIM REJECTIONS - 35 USC § 103

VI. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2144

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**VII. Claims 1-14 and 16-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Truetken* (US 6,493,324) in view of *Edholm* (US 6,449,269).**

a. **Per claim 1**, *Truetken* teaches a user-programmable communications arrangement including a computer having a display, the arrangement comprising:

- a user interface (*col.1 lines 40-44 and 51-61*); and
- a control center communicatively coupled to a plurality of IP telephony devices (*Figure 1, col.2 lines 56-67—IP telephony gateway and server connected to IP telephony devices;*);
- display a control interface for at least one of: user control of an IP telephony device, office telephone administration control of a plurality of telephony devices, and system administrator control of telephony system configuration (*col.2 line 61-col.3 line 37—graphical user interface display on an IP telephony device for initiating and communicating call information to user*).

*Truetken* teaches IP telephony devices equipped with a graphical user interface, application interface and helper application (*col.3 lines 4-67*); yet fails to explicitly teach a programmable controller, provide user-selected IP telephony configuration information to a control center communicatively coupled to a plurality of IP telephony devices, and the IP telephony configuration information being selected to control communications between, and to programmably configure, the control center and the plurality of IP telephony devices. However, *Edholm* teaches an IP telephone controller and a phone server in communication with the IP telephone that resolves the requests input into the interface of an IP telephone for configuring the call to the requested destination (*col.2 lines 33-67, col.3 lines 8-48, col.4 line 24-col.5 line 8, col.8 lines 39-49*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the system of *Truetken* with *Edholm* by providing a phone server in communication with the IP telephone device that establishes and configures calls for the IP telephone device. Call/Control centers/servers coupled to IP telephone devices are well-known and commonly implemented in the art for performing such tasks.

b. **Claim 20** contains limitations that are substantially equivalent to claims 1 and 15, and is therefore rejected under the same basis.

c. **Per claim 2**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the computer is adapted to announce an incoming call via the display, the call announce being effected without overtaking currently running applications (*col.1 lines 50-55, col.3 lines 20-31 and 58-62; Edholm—col.3 lines 46-48, col.5 lines 39-47*).

d. **Per claim 3**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 2, *Truetken* further teaches wherein the call announce is effected using a locally-installed OOP applet that runs in the background of the computer (*col.3 line 51-col.4 line 14*).

e. **Per claim 4**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 2, *Truetken* further teaches wherein the call announce displays user control options including at least one of: caller ID, speaker phone, answer, forward to voicemail, hold, and call termination (*col.1 lines 50-55, col.3 lines 20-31 and 58-62; Edholm—col.3 lines 46-48, col.5 lines 39-47*).

f. **Per claim 5**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the user interface includes a graphic user interface (GUI) (*col.2 lines 64-67, col.3 lines 20-25*).

g. **Per claim 6**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the computer includes one of the plurality of IP telephony devices (*col.2 lines 50-67*).

h. **Per claim 7**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Edholm* further teaches wherein the controller is adapted to access personal contact information (*col.7 lines 38-66, col.8 line 39-col.9 line 8, col.12 lines 1-45; Truetken—col.3 line 52-col.4 line 33*).

i. **Per claim 8**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 7, *Truetken* further teaches wherein the personal contact information is arranged in a searchable database accessible by the controller, the database being accessible via user-defined shuffle search statements (*col.4 lines 2-4, 20-22 and 28-33—personal directory and phone/address book; Edholm—col.2 line 67-col.3 line 4*).

j. **Claim 17** is substantially similar to claim 8 and is therefore rejected under the same basis.

k. **Per claim 9**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Edholm* further teaches wherein the controller is adapted to provide a control interface for system administration control of an IP telephony network, the interface being adapted to provide at least one of: IP telephony system

Art Unit: 2144

configuration and system status information (*col.5 lines 36-39, col.8 lines 50-63, col.9 lines 19-29 and 47-56; Truetken—col.3 lines 59-62*).

l. **Per claim 10**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 9, *Edholm* further teaches wherein the IP telephony system status information includes at least one of: IP address assignment information for telephony devices, user-access security control level settings, current telephony device hardware settings, display settings for the controller, and telephony device location information (*col.3 lines 40-48, col.5 lines 39-48*).

m. **Per claim 11**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 9, *Edholm* further teaches wherein the control interface is adapted to configure the IP telephony system to control at least one of: telephony device address assignment, user-access permissions, system report generation, display settings for the controller, voice mail parameters, IP telephony device hardware configuration, system backups, call routing protocol, call accounting, email configuration settings and call logging (*col.3 lines 40-48, col.5 lines 39-48; Truetken—col.3 lines 8-37, col.4 lines 2-6, col.5 lines 1-5*).

n. **Per claim 12**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein the computer is adapted to use OOP for providing the user-selected IP telephony configuration information to the control center (*col.3 lines 20-37; Edholm—col.8 lines 38-66, col.11 lines 12-39*).

o. **Claims 16 and 19** are substantially similar to claim 12 and are therefore rejected under the same basis.



p. **Per claim 13**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein user control of an IP telephony device includes active call control and call receive settings including at least one of: speaker phone activation, call answer, call forward to voicemail, call forward to another number or IP telephony address, call hold, call termination, display of caller ID, speed dial, call transfer, redial, voicemail forwarding, voicemail messaging, multi-party calling call muting, video control, and remote access control for remote access to telephony services (*col.1 lines 50-55, col.3 lines 15-31 and 58-62; Edholm—col.3 lines 46-48, col.5 lines 39-47*).

q. **Per claim 14**, *Truetken* with *Edholm* teach the user-programmable communications arrangement of claim 1, *Truetken* further teaches wherein each of the plurality of IP telephony devices includes a CPU, and wherein the user interface and controller are further adapted to: provide user-selected email configuration information to a control center communicatively coupled to each CPU; display a control interface for at least one of: user control of email configuration, office administration control of the plurality of CPUs, and system administrator control of email system configuration; and the email configuration information being selected to control communications between, and to programmably configure, the control center and the plurality of CPUs (*col.2 line 50-col.3 line 45*).

r. **Per claim 18**, *Truetken* with *Edholm* teach the user-programmable communications controller of claim 17, *Truetken* further teaches wherein the memory storage device is adapted to send display information to the user-interface device using OOP, the display information including available IP telephony communications selections (*col.4 lines 41-67*).

s. **Per claim 21**, *Truetken* with *Edholm* teach the user-programmable communications control system of claim 20, *Truetken* further teaches wherein the scope of communications control selections that can be made at the computer station is controlled by the programmable communications server based on a predefined user-access permission level (*col.4 lines 2-12*).

t. **Per claim 22**, *Truetken* with *Edholm* teach the user-programmable communications control system of claim 20, *Truetken* further teaches the system further comprising a plurality of computer stations, wherein programmable communications server is adapted to receive communications control selections from each of the plurality of computer stations (*col.4 lines 2-40, col.5 lines 1-21; Edholm—col.5 lines 12-35*).

### Conclusion

**VIII.** The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure: Shaffer et al (5966427), Ress et al (6885658), Neyman (6731626), Miloslavsky et al (6625139), Ward et al (6556565).

**Examiner's Note:** Examiner has cited particular columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the Applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner. Should Applicant

Art Unit: 2144

amend the claims of the claimed invention, it is respectfully requested that Applicant clearly indicate the portion(s) of Applicant's specification that support the amended claim language for ascertaining the metes and bounds of Applicant's claimed invention.

**IX.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie D. Shingles whose telephone number is (571)272-3888. The examiner can normally be reached on Monday 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Kristie D. Shingles***  
***Examiner***  
***Art Unit 2141***

***kds***  
***/William C. Vaughn, Jr./***

Supervisory Patent Examiner, Art Unit 2144